

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

ELI LILLY AND COMPANY,

Plaintiff,

V.

Case No. 1:10-cv-1376-TWP-DKL

TEVA PARENTERAL MEDICINES, INC.,
APP PHARMACEUTICALS, LLC,
PLIVA HRVATSKA D.O.O.,
TEVA PHARMACEUTICALS USA INC., and
BARR LABORATORIES, INC.

Defendant.

ENTRY FOLLOWING BENCH TRIAL HELD AUGUST 21, 2013 – DAY THREE
THE HONORABLE TANYA WALTON PRATT, DISTRICT JUDGE

Plaintiff appeared by counsel Bruce Roger Genderson, Adam L. Perlman, Dov P. Grossman, David M. Krinsky, Jan M. Carroll, Megan A. Hughes, and Andrew V. Trask. James Leeds and Steven Caltrider appeared as party representatives for Plaintiff. Defendants appeared by counsel Emily L. Rapalino, Michael B. Cottler, Daryl L. Wiesen, Elaine Hermann Blais, Briana Lynn Clark, Kandi Kilkelly Hidde, Natasha E. Daughtrey and Brian J. Prew. Jon Wise, Ali Ahmed, and Jack Silhavey appeared as party representatives for Defendants. David Moxley was the Official Court Reporter. Court Reporters Cathy Jones (in person), Laura Howie-Walters, Judy Farris Mason, and Jean Knepley assisted in transcription. Parties appeared for bench trial at the Indianapolis Courthouse.

Defendant's case-in-chief continued.

Attorney Wiesen notified the Court that Defendants have withdrawn the Best Mode Defense.

Attorney Genderson continued cross examination of Defendants' second witness, Dr.

Ralph Green.

Attorney Weisen conducted re-direct examination of Dr. Green. Plaintiff indicated there were no re-cross questions and Defendants' witness, Dr. Ralph Green, was excused.

Attorney Genderson moved to admit Plaintiff's exhibits 78, 1021, 1036, 1503, 1009, 1035, and 1078. These exhibits were admitted without objection.

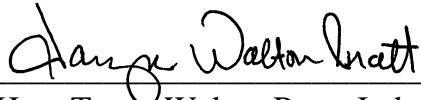
Attorney Rapalino called Defendants' third witness, Dr. Sarah Morgan. Evidence was entered and testimony was presented.

Plaintiff's Attorney David M. Krinsky conducted cross examination of Dr. Morgan. Plaintiff indicated there were no re-cross questions and Defendants' witness, Dr. Morgan, was excused.

Attorney Rapalino moved to admit exhibits 1396, 508, 1204, and 1350. These exhibits were admitted without objection.

Parties were ordered to return on Thursday, August 22, 2013 at 9:00 a.m. and Court was adjourned for the day.

Date: 08/22/2013



Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

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